

UNITED STATES BANKRUPTCY COURT DISTRICT OF HAWAII	
In Re: Sosipeta Hikila Debtor	Case No.: 09-01737 Chapter: 7
David Furuto Plaintiff v. Sosipeta Hikila , Defendant	Adv. Proc. No. 09-90068 Judge: Robert J. Faris
SCHEDULING ORDER	
<p>Based on the scheduling conference held in this matter,</p> <p>IT IS HEREBY ORDERED:</p> <p>1. <i>Trial.</i> Trial shall commence at the Courtroom, United States Bankruptcy Court, District of Hawaii, 1132 Bishop Street, Suite 250, Honolulu, Hawaii on:</p> <p>Date: December 6, 2010 Time: 09:30 AM</p> <p>2. <i>Discovery Cut-Off.</i> Discovery must be completed by: November 5, 2010</p> <p>Further, if not previously made, the initial disclosures required by Fed. R. Bankr. P. 7026 and Fed. R. Civ. P. 26(a)(1) must be provided to other parties (but not filed) not later than 30 days after the date of entry of this order. Initial disclosures made under Rule 26(a)(1), disclosure of expert testimony under Rule 26(a)(2), and other discovery requests and responses must not be filed with the court unless the court directs otherwise. Expert witnesses shall be designated, and reports provided to the opposing party not later than 60 days prior to the discovery cut-off date above. Any rebuttal experts shall be similarly designated, with reports provided, not less than 45 days prior to the discovery cut-off date. All parties must comply with the discovery plan submitted under Rule 26(f). For the purpose of determining compliance with discovery deadlines, a deposition is completed when the examination of the witness is finished (even if the deposition has not yet been transcribed), and interrogatories, requests for production of documents and things, and requests for admissions are completed when the response thereto is due in accordance with the request and applicable rule. LBR 7026-1(c).</p> <p>3. <i>Motions.</i></p> <p>a. Motions to Join or to Amend. Motions to join other parties or to amend may be filed not later than 28 days after the date of entry of the scheduling order.</p> <p>b. Motions for Summary Judgment or to Dismiss. Dispositive motions, including motions for summary judgment or to dismiss, must be filed so as to be heard not later than 28 days before the trial date.</p> <p>c. Motions to Compel Discovery. Motions to compel discovery or for discovery sanctions must be heard prior to the discovery cut-off date above.</p> <p>d. Motions in Limine. Motions in limine and other objections to witnesses or exhibits may be filed not later than 14 days before the trial date. The title of a motion or objection must clearly identify the subject matter. A response to a motion in limine or other objection may be filed not later than 7 days before the trial date.</p> <p>4. <i>Trial Briefs.</i> Not later than 28 days before the trial date, each party must file and serve on all other parties a trial brief discussing all significant issues of law, including foreseeable procedural and evidentiary issues, setting forth concisely the party's position and the supporting arguments and authorities. A trial brief exceeding 15 pages must include a table of contents and a table of authorities.</p>	

5. **Witness Lists.** Not later than 28 days before the trial date, each party must file and serve on all other parties a final comprehensive witness list, including a brief summary of the anticipated testimony from each witness.

6. **Interpreters.** Not later than 28 days before the trial date, any party wishing to use an interpreter for the testimony of one or more witnesses must notify the courtroom deputy of such a request. The party wishing to use the interpreter must verify that the individual has been certified as an interpreter by the Director of the Administrative Office of the United States Courts and indicate whether the selection of the interpreter is agreeable to all parties. The requesting party's witness list must include the name of the interpreter and identify the parties whose testimony will be interpreted.

7. **Exhibits.**

a. **Deadlines.** Not later than 28 days before the trial date, each party must serve on all other parties, but not file with the court, copies of all exhibits, including both evidentiary exhibits and illustrative aids. Unless the court directs otherwise, exhibits may not be submitted to the court until the day of trial.

b. **Marking.** Plaintiff's exhibits must be marked with numbers; defendant's exhibits must be marked with letters; additional parties should contact the courtroom deputy for marking instructions. Enlargement of evidentiary exhibits must bear the same exhibit marking as the underlying exhibit. Illustrative aids and enhancements of evidentiary exhibits (e.g., a copy of an exhibit including lines, highlighting, or explanatory text) must be separately listed and marked. At trial, each party must tender to the courtroom deputy the original and two copies of the marked exhibits in tabbed binders.

c. **Objections.** Not later than 14 days before the trial date, the parties must meet and confer to make a good faith attempt to resolve any objections to the admissibility of any exhibits. At the commencement of trial, the parties should be prepared to stipulate into evidence all exhibits as to which there were no objections.

8. **Presentation Equipment.** Not later than 14 days before the trial date, a party must inform the courtroom deputy of any intention to use courtroom equipment to present evidence and illustrative aids. Counsel are responsible for making arrangements to familiarize themselves with the equipment, to test the compatibility of their presentations with the court's equipment and software, and to make alternative arrangements for their presentation in the event of incompatibility or system failure. If the exhibits or illustrative aids are in digital format, the party must provide all other parties with a digital copy, in its native file format, on a CD, DVD, or diskette.

9. **Advisory on Privacy Policy.** The federal judiciary's privacy policy restricts the publication of certain personal data in documents filed with the court. The policy requires limiting Social Security and financial account numbers to the last 4 digits using only initials for the names of minor children, and limiting dates of birth to the year. However, if such information is elicited during testimony or other court proceedings, it will become available to the public when the official transcript is filed at the courthouse unless, and until, it is redacted. The better practice is for the parties to avoid introducing this information into the record in the first place. Please take into account when questioning witnesses or making other statements in court. If a restricted item is mentioned in court, a party may ask to have it stricken from the record or partially redacted to conform to the privacy policy, or the court may do so on its own motion.

Dated: December 16, 2009
Honolulu, Hawaii

Robert J. Faris
United States Bankruptcy Judge

CERTIFICATE OF NOTICE

District/off: 0975-1
Case: 09-90068

User: oriettev
Form ID: ord028

Page 1 of 1
Total Noticed: 4

Date Rcvd: Dec 16, 2009

The following entities were noticed by first class mail on Dec 18, 2009.

aty +Cuyler Shaw, Ashford & Wriston LLP, Alii Place, Suite 1400, 1099 Alakea Street,
P. O. Box 131, Honolulu, HI 96810-0131
aty +Miranda Tsai, Ashford & Wriston, 1099 Alakea Street, Ste. 1400, P. O. Box 131,
Honolulu, HI 96810-0131
aty +Paul H. Saccoccio, Saccoccio & Lopez, 66-437 Kamehameha Hwy, Ste. 209,
Haleiwa, HI 96712-1471
dft +Sosipeta Hikila, 54-014 Kukuna Rd., Hauula, HI 96717-9628

The following entities were noticed by electronic transmission.

NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

pla David Furuto
pla Sharlene Furuto

TOTALS: 2, * 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 18, 2009

Signature:

